



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **16256-25 J.S.**

AGENCY DKT. NO. **C024807005 (CAPE MAY COUNTY BD. OF SOC. SVCS.)**

Petitioner challenges the Respondent Agency's calculation of his Supplemental Nutrition Assistance Program ("SNAP") benefits allotment amount. Petitioner contends that the Agency, during its determination of his recertification for SNAP benefits, should have considered whether he was entitled to a shelter deduction, and a deduction for the costs of utilities, which would have resulted in an increased monthly SNAP benefits allotment for August, 2025. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 25, 2025, the Honorable Kathleen M. Calemme, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On December 5, 2025, the ALJ issued an Initial Decision, reversing the Agency's calculation of Petitioner's monthly SNAP benefit amount for August, 2025, based upon the Agency's determination that Petitioner was not entitled to retroactive consideration of a shelter or utility cost deduction. Here, the record reflects that Petitioner participated in a telephone interview with the Agency on July 3, 2025, regarding recertification of his SNAP benefits, which, as of July, 2025 were \$257 per month. See Initial Decision at 2; see also Exhibit R-1. At the time of his interview, Petitioner informed the Agency worker that he continued to reside at the same residence where he had lived for four years, a subsidized housing unit through the city housing authority and the Section 8 voucher program. Ibid. Petitioner testified that, following the telephone interview, the Agency representative informed him that no further information was needed. See Initial Decision at 2. On July 7, 2025, Petitioner received notification from the Agency that his SNAP benefits allotment would be reduced to \$198, effective August 1, 2025, due to no deductions for shelter and utilities being included in the allotment calculations. See Initial Decision at 2-3; see also Exhibit R-1. On August 13, 2025, the Agency received verification of Petitioner's rent, and following the receipt of such information, increased Petitioner's SNAP benefit, effective September 1, 2025, to \$264 per month. See Initial Decision at 3; see also Exhibit R-1. The Agency contended that the rent verification was received too late in the month to impact Petitioner's SNAP benefits amount for August, 2025. See Initial Decision at 3.

Petitioner argued that, based upon his recertification interview, he believed that all of the information about his housing, where he had resided while previously receiving benefits, had been properly submitted and that the Agency needed no further information or verification. See Initial Decision at 3; see also Exhibit R-1. Based upon the Petitioner's testimony, the ALJ found Petitioner credible when he stated that he did not believe any further information was needed by the Agency, specifically because his address had not changed, and that the Agency made no request for any further information or documentation from Petitioner. See Initial Decision at 4. In addition, the ALJ found, based upon the testimony of the Agency representative, that the Agency confirmed the housing cost for Petitioner directly with the housing authority and was thus able to verify the shelter cost and include same in the calculation of benefits at recertification. Ibid.



Based on the record presented, the ALJ reversed the Agency's calculation of Petitioner's monthly SNAP benefit for August 2025, and concluded that Petitioner demonstrated that he was entitled to retroactive SNAP benefits in the amount of \$66, representing the difference between his benefit allotment of \$264 per month, effective September, 2025, and the benefits payment of \$198 made for August, 2025. See Initial Decision at 5-6; see also Exhibit R-1, and N.J.A.C. 10:87-6.16. I agree and direct that said amount to issued to Petitioner. See N.J.A.C. 10:87-8.18.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Findings of Fact and Conclusion of Law.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency determination is REVERSED, as outlined above.

Officially approved final version. December 23, 2025

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Natasha Johnson  
Assistant Commissioner

